

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

JAN 11 2006

JAMES W. WOODWARD, CLERK
By: *[Signature]*
DEP. CLERK

RICHARD LINSKY,
Plaintiff,

v.

ST. JUDE MEDICAL S.C., INC.,
Defendant.

3.
No.: 04-00130 WRW

STIPULATED ORDER OF VOLUNTARY DISMISSAL WITH PREJUDICE

Plaintiff and defendant, through their respective counsel, hereby stipulate and agree as follows:

1. Plaintiff agrees to dismiss the entire action with prejudice. Because plaintiff has pled certain claims in the Complaint as a putative class action, the parties seek Court approval for dismissal pursuant to Federal Rule of Civil Procedure 23 (e) and 41 (a)(1).

2. Because there is no evidence of collusion between the parties to this stipulation and absent putative class members will not be prejudiced, notice to the absent putative class members is not necessary. *In re Nazi Era Cases*, 198 FRD 429, 441-42 (D.N.J. 2000);

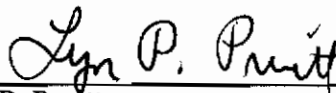
Anderberg v. Masonite Corp., 176 FRD 682, 689 (N.D. Ga. 1997). Putative class members are not bound by any proceedings in a purported class action prior to a ruling on class certification. *In re Bridgestone/Firestone, Inc.*, 333 F.3d 763 (7th Cir. 2003).

3. Accordingly, the parties request that the Court enter an Order dismissing this action.

4. Each party shall bear its own costs and attorneys' fees in this action, and the parties stipulate and agree that there will be no "prevailing party" in this action as a result of this dismissal.

January 3, 2006
Dated: ~~November~~ 2005

MITCHELL, WILLIAMS SELIG, GATES &
WOODYARD, PLLC

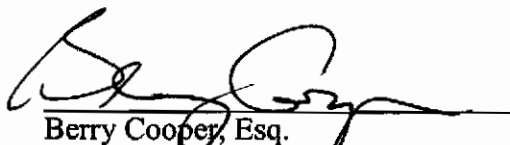


Lyn P. Pruitt
425 W. Capitol Ave., Suite 1800
Little Rock, AR 72201
T: 501-688-8800
F: 501-688-8807

Counsel for Defendants
St. Jude Medical, Inc. and
St. Jude Medical S.C., Inc.

December 21, 2005
Dated: ~~November~~ 2005

DEAL COOPER HOLTON, PLLC

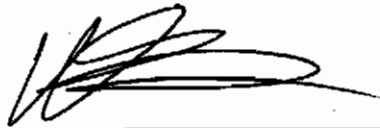
BY: 
Berry Cooper, Esq.
296 Washington Avenue
Memphis, TN 38103
T: (901) 523-2222
F: (817) 332-9301

Counsel for Plaintiffs

ORDER

The Court, having considered the Stipulation between the parties, Orders the above-captioned action dismissed, with prejudice, each party to bear its own costs and attorneys' fees.

Dated: 1/11/06



Judge William R. Wilson, Jr.
States District Court
District of Arkansas